

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RICHARD MOONEY,

Plaintiff,

v.

ROLLER BEARING COMPANY OF
AMERICA, INC.,

Defendant.

CASE NO. C20-01030-LK

ORDER GRANTING PLAINTIFF'S
MOTION FOR
RECONSIDERATION

This matter comes before the Court on a motion for reconsideration filed by Plaintiff Richard Mooney. Dkt. No. 70. Mooney seeks reconsideration of one aspect of the Court's order granting in part and denying in part his motion for summary judgment, Dkt. No. 62: he contends that the Court should have granted him summary judgment on the "essential job functions" element of his disability discrimination claim under the Washington Law Against Discrimination ("WLAD"). Dkt. No. 70 at 1.

Defendant Roller Bearing Company of America, Inc. ("RBC") "does not oppose Plaintiff's motion to the extent it seeks to establish that he was medically fit to return to work." Dkt. No. 74 at 1. Because the parties still disagree regarding "whether [Mooney] would remain medically fit

1 in the future, as well as his motivation/ability to actually perform his job in a satisfactory manner,”
2 RBC asks that “any order granting [Mooney’s] motion reflect that these remain as open and
3 contested issues.” *Id.* Mooney argues that RBC’s request should be denied because it is “beyond
4 the scope of the narrow issue presented to this Court” in his motion for reconsideration. Dkt. No.
5 77 at 1.

6 Because there is no dispute that Mooney was medically able to perform the essential
7 functions of his position when he was discharged, Mooney is entitled to summary judgment on
8 that element. The Court’s prior order did not grant summary judgment with respect to whether
9 Mooney’s performance was and would continue to be satisfactory, or whether he would remain
10 medically able to perform the essential functions of his position in the future. Those issues were
11 unresolved before and remain so now.

12 The Court GRANTS Mooney’s motion for reconsideration, Dkt. No. 70, and AMENDS its
13 prior order, Dkt. No. 62, to grant Mooney’s motion for summary judgment on the second element
14 of his WLAD claim: that he was able to perform the essential functions of his job when he was
15 discharged, Dkt. No. 28 at 1, 16, 17.

16 Dated this 29th day of April, 2022.

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Lauren King
19 United States District Judge
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